

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

IN RE COMPACT DISC MINIMUM		
ADVERTISED PRICE ANTITRUST		MDL DOCKET No. 1361
LITIGATION		

**ORDER DESCRIBING THE DUTIES OF COUNSEL
IN THE ROY CASE**

By Order dated April 18, 2001, the MDL Panel transferred the tag-along action entitled Roy, et al. v. Sony Music Entertainment, Inc., et al., 00-Civ 6065 (S.D.N.Y.) ("Roy") to this Court for consolidated or coordinated pretrial proceedings. Counsel for the Roy plaintiffs seek a lead and liaison counsel designation.¹

In the interest of clarifying the relationship of the Roy action to the other actions in coordinated proceeding, it is **ORDERED** as follows:

1. The firm of Wolf Haldenstein Adler Freeman & Herz, LLP, attorneys for the plaintiffs in Roy, shall take all reasonable steps to coordinate the Roy action with the other actions consolidated and coordinated before this Court so as to avoid unnecessary duplication of effort with respect to all discovery matters. Wolf Haldenstein shall consult with lead counsel for plaintiffs, as well as the

¹ By Order dated November 29, 2000, the Court appointed liaison counsel for the other private plaintiffs, the State Attorneys General, the Distributor Defendants and the Retailer Defendants. By Order dated November 29, 2000, the Court appointed Lead Counsel for the State Attorneys General and for the plaintiffs in the other private actions.

defendants, to assure that schedules are met and unnecessary expenditures of time and expense are avoided.

2. With respect to the Roy action:

(a) Wolf Haldenstein shall have the right to serve separate supplemental discovery on behalf of the Roy plaintiffs as provided in the Scheduling Order established in this case, subject to the requirements and limitations of the Federal Rules of Civil Procedure and all applicable Local Rules;

(b) Wolf Haldenstein may participate separately at depositions noticed by other parties in MDL 1361;

(c) To the extent other plaintiffs have not noticed depositions of particular deponents, Wolf Haldenstein may notice such depositions, but shall first consult with the other parties, including plaintiffs' lead counsel, to ensure proper coordination of scheduling;

(d) Wolf Haldenstein shall have the right to speak and write separately on behalf of the Roy plaintiffs to the Court and opposing parties;

(e) Wolf Haldenstein shall be served with legal documents and notices by all other parties in MDL 1361 and no separate liaison counsel need be served on behalf of the Roy plaintiffs; and

(f) Wolf Haldenstein shall have the authority to negotiate and settle the claims asserted in the Roy action.

3. Wolf Haldenstein shall maintain adequate and contemporaneous time and expense records covering its services on behalf of the Roy plaintiffs and the class they seek to represent, available to the Court *in camera* upon request.

SO ORDERED.

DATED THIS 25TH DAY OF MAY, 2001.

D. BROCK HORNBY
UNITED STATES CHIEF DISTRICT JUDGE